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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/766,924	01/30/2004	Masaru Takeuchi	118198	3975
25944	7590	10/05/2004	EXAMINER	
OLIFF & BERRIDGE, PLC				EVANISKO, LESLIE J
P.O. BOX 19928				ART UNIT
ALEXANDRIA, VA 22320				PAPER NUMBER
				2854

DATE MAILED: 10/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/766,924	TAKEUCHI ET AL. <i>[Signature]</i>
	<b>Examiner</b>	<b>Art Unit</b>
	Leslie J. Evanisko	2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 30 January 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 18-20 is/are allowed.
- 6) Claim(s) 1-10, 14 and 16 is/are rejected.
- 7) Claim(s) 11-13, 15 and 17 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 30 January 2004 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)              |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>01-30-2004</u> . | 6) <input type="checkbox"/> Other: _____.  |

**DETAILED ACTION**

***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Drawings***

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the light absorbent member affixed to the surface as set forth in claim 4 and the provision of an opening in the surface as set forth in claim 5 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the

remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Objections***

3. Claim 14 is objected to because of the following informalities: It is suggested that claim 14 be written to use language such as the following: -- ...wherein the contact area reducing member and the anti-reflective treatment are arranged on the surface in an area adapted to be passed over by the side edge detector" to better set forth the claim in terms of the structure of the platen as claimed. In particular, it is noted that claim 1 is drawn to a flat platen per se and therefore claim 14 should further limit the structure of the flat platen and not the structure of the side edge detector of the image forming apparatus that the platen is for use with.

Appropriate correction and/or clarification is required.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-4, 7, and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Sato (US 4,285,275). Sato teaches a flat platen 14 for use in an image forming device comprising a surface 20 that faces a recording medium 30 and supports the recording medium thereon and an anti-reflective treatment (i.e. corrugations 21) provided on the surface. Note claims 1-16 are directed to the platen per se and not the combination of the platen and the image forming device with the side edge detector. Therefore, note the corrugations provided on the surface of the platen of Sato would inherently provide “anti-reflective” properties to the surface since the platen surface is capable of reducing the reflection of any light irradiated on the platen surface because the platen surface is rough and not smooth.

With respect to claims 2 and 3, note the corrugated surface 21 of the platen 14 of Sato can broadly be considered to be a matte or texturing treatment, as broadly recited by applicant.

With respect to claim 4, note the platen of Sato can be considered to include the disposition of a light absorbent member on the surface 20, as shown in Figures 3 and 4B-4D in particular.

With respect to claim 7, note the platen of Sato includes a plurality of protrusions having an inclined plane in the surface, as shown in Figure 4B in particular.

With respect to claim 16, note the anti-reflective treatment of Sato is broadly applied to areas corresponding to side edges of the recording medium as shown in Figure 3.

6. Claims 1, 6-9, and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Sunada et al. (US 5,820,283). Sunada et al. teach a flat platen 54 for use in an image forming device comprising a surface that faces a recording medium 60 and supports the recording medium thereon and an anti-reflective treatment (i.e. the angled upper surface including protrusions 70, 72 and grooves) provided on the surface. Note claims 1-16 are directed to the platen per se and not the combination of the platen and the image forming device with the side edge detector and light emitting and receiving devices. Therefore, note the upper surface of the platen of Sunada et al. would

inherently provide “anti-reflective” properties to the surface since the platen surface is capable of reducing the reflection of any light irradiated on the platen surface because the platen surface is not uniformly flat and includes several inclined surfaces as shown in Figure 2 in particular. These inclined surfaces would serve to diffuse some of the light from being reflected.

With respect to claims 6-7, note the surface can broadly be considered to include both protrusions and grooves (i.e. the areas between the protrusions) having an inclined plane in the surface.

With respect to claims 8-9, note the platen includes a contact area reducing member (i.e., ribs 72') shown in Figure 4 in particular.

With respect to claim 14, note the contact area reducing member and anti-reflective treatment of Sunada et al. are broadly capable of being arranged on the surface in an area over which a side edge detector is capable of passing.

7. Claims 1 and 5 are rejected under 35 U.S.C. 102(e) as being anticipated by Scholz et al. (US 6,517,269). Scholz et al. teach a flat platen 114 for use in an image forming device comprising a surface that faces a recording medium 60 and supports the recording medium thereon and an anti-reflective treatment (i.e. the apertures 170, 172, 174) provided on the surface. Note claims 1-16 are directed to the platen per se and not the combination of the platen and the image forming device with the side edge detector and light emitting and receiving devices. Therefore, note the surface of the platen of

Scholz et al. would inherently provide “anti-reflective” properties to the surface since the platen surface is capable of reducing the reflection of any light irradiated on the platen surface because the platen surface includes apertures through which the light would pass instead of being reflected, as shown in Figure 6 in particular.

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary.

Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

10. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sunada et al. (US 5,820,283). Sunada et al. teach a flat platen as recited with the possible exception of the ribs protruding above the surface 2 mm or more. However, the optimum distance the ribs protrude above the surface of the platen could easily be determined through obvious routine experimentation. Therefore, it would have been obvious to one of ordinary skill in the art to provide the ribs of Sunada et al. to protrude above the platen surface at any optimum distance, such as 2 mm or more, to insure the print medium does not contact the surface of the platen except at the rib points to provide better conveying and printing results.

***Allowable Subject Matter***

11. Claims 18-20 are allowed.

12. Claims 11-13, 15, and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

13. The following is a statement of reasons for the indication of allowable subject matter:

With respect to claims 11-12 in particular, the prior art of record fails to teach or fairly suggest a flat platen including all of the structure as recited, in combination with and particularly including, the ribs not being disposed under

a position (or within 2 mm outward from a position) extending vertically downwardly from a side edge of a standard-sized recording medium to be fed.

With respect to claims 13 and 17, the prior art of record fails to teach or fairly suggest a flat platen including all of the structure as recited, in combination with and particularly including, two kinds of ribs having different heights.

With respect to claim 15, the prior art of record fails to teach or fairly suggest a flat platen including all of the structure as recited, in combination with and particularly including, plates disposed on side edges of the flat platen and between the surface and the side edge detector in order to prevent the recording medium from moving toward the side edge detector.

With respect to claim 18 in particular, the prior art of record fails to teach or fairly suggest an image forming apparatus including all of the structure as recited, in combination with and particularly including, a surface including an area on which a recording sheet rests, and a side-edge detecting device having a light emitting device and a light receiving device, wherein at least an area of the surface irradiated with light from the light emitting device is applied with an anti-reflective treatment that reduces an amount of light that is reflected on the surface and led to the light receiving device.

***Conclusion***

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Courtney (US 5,127,752) teaches a platen device having obvious similarities to the claimed subject matter.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Leslie J. Evanisko** whose telephone number is **(571) 272-2161**. The examiner can normally be reached on M-Th 7:30 am-6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H. Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Art Unit 2854

lje  
September 30, 2004